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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,656	07/14/2003	Philippe Bouiller	240112US6	4735
22850	7590	09/07/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			KIM, TAE JUN	
			ART UNIT	PAPER NUMBER
			3746	

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/617,656

Applicant(s)

BOUILLER ET AL.

Examiner

Ted Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3 and 6-20 is/are allowed.
- 6) ☒ Claim(s) 21 and 23-27 is/are rejected.
- 7) ☒ Claim(s) 22 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hambling (2,949,731) in view of Wapler (3,274,757). Hambling teaches a system for driving a pump 13, 14 in a turboengine 1-5, said system comprising an electric motor 11 presenting a stator and a rotor (inherent components of an electric motor), the system further comprising an air turbine 6 presenting a casing and a rotary assembly; said air turbine being suitable for being fed by a flow of air taken from a compressor 1 of said turboengine in order to contribute to driving said accessory; a control valve 15 for controlling the flow of air taken from the compressor, which control valve is in a closed position while the turboengine is starting and in an open position once it has started (col. 1, lines 68+); the flow of air taken from the compressor is sufficient to enable the pump to be operated by the air turbine in the absence of electrical power supply or in the event of said electric motor failing; wherein the air turbine lies on the same axis as said electric motor. The turbine is at a free end of the shaft. Hambling does not teach the turbine is an axial-centripetal turbine with a wheel and peripheral blades nor the bearings. Wapler

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teaches there are three classes of turbines (col. 1, lines 15+) and that the axial centripetal turbine is one of them (see Fig. 2). His shaft 3 is supported by bearings. It would have been obvious to one of ordinary skill in the art to make the turbine of Hambling an axial-centripetal turbine supported by bearings as a well known type of turbine commonly used in the art.

3. Claims 21, 23, 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hambling (2,949,731) in view of Teague, Jr et al (2,939,017). Hambling teaches a system for driving a pump 13, 14 in a turboengine 1-5, said system comprising an electric motor 11 presenting a stator and a rotor (inherent components of an electric motor), the system further comprising an air turbine 6 presenting a casing and a rotary assembly; said air turbine being suitable for being fed by a flow of air taken from a compressor 1 of said turboengine in order to contribute to driving said accessory; a control valve 15 for controlling the flow of air taken from the compressor, which control valve is in a closed position while the turboengine is starting and in an open position once it has started (col. 1, lines 68+); the flow of air taken from the compressor is sufficient to enable the pump to be operated by the air turbine in the absence of electrical power supply or in the event of said electric motor failing; wherein the air turbine lies on the same axis as said electric motor. Hambling does not teach the stator is located in the casing of the air turbine. Teague, Jr et al teach it is old and well known in the art to make the stator 108 in the same casing as the turbine 78 (see Figs. 1 and 8). Alternately, this is held to be within the ordinary skill in the art as an obvious matter of making integral. It would have been

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obvious to one of ordinary skill in the art to employ the same casing, in order to consolidate parts.

***Allowable Subject Matter***

4. Claims 1-3, 6-20 are allowed.
5. Claim 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

6. Applicant's amendments to the claims filed 07/21/2005 require the new ground(s) of rejection.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Ted Kim whose telephone number is 571-272-4829. The Examiner can be reached on regular business hours before 5:00 pm, Monday to Thursday and every other Friday.

The fax numbers for the organization where this application is assigned are

571-273-8300 for Regular faxes and 571-273-8300 for After Final faxes.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Thorpe, can be reached at 571-272-4444.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist of Technology Center 3700, whose telephone number is 703-308-0861. General inquiries can also be directed to the Patents Assistance Center whose telephone number is 800-786-9199. Furthermore, a variety of online resources are available at <http://www.uspto.gov/main/patents.htm>



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